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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/046,959	01/14/2002	Tim Forrester	UTL 00082	4413

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Kyocera Wireless Corp.,
Attn: Patent Department
PO Box 928289
San Diego, CA 92192-8289

EXAMINER

MULL, FRED H

ART UNIT	PAPER NUMBER
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3662

DATE MAILED: 01/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N .

10/046,959

Applicant(s)

FORRESTER, TIM

Examiner

Fred H. Mull

Art Unit

3662

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-2, 4-7, 9-10, and 12-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Krasner '960.

In regard to claims 1 and 9, Krasner '960 discloses a GPS receiver configured to receive GPS signals (130, Fig. 2); a wireless communication receiver/transmitter configured to receive/transmit wireless communication signals (109); and a processor coupled with the GPS and wireless communication receivers, the processor configured to process the GPS signals and the wireless communication signals (column 8, lines 21-27).

In regard to claims 2 and 10, Krasner '960 further discloses the processor is further configured to determine a location of a device incorporating the receiver based on the GPS signals (115 and description to the right).

In regard to claims 4 and 12, Krasner '960 further discloses a single antenna for both GPS and wireless communication signals (column 8, lines 28-29).

Art Unit: 3662

In regard to claims 5 and 13, Krasner '960 further discloses a common demodulation circuit for both GPS and wireless communication signals (column 8, lines 28-29).

In regard to claim 6, Krasner '960 discloses a common GPS / wireless communication signal antenna, demodulator, and processor (column 8, lines 21-29).

In regard to claim 7, Krasner '960 further discloses the processor is further configured to determine a location of a device incorporating the receiver based on the GPS signals (115 and description to the right).

2. Claims 1-4 and 9-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Krasner '944.

In regard to claims 1 and 9, Krasner '944 discloses a GPS receiver configured to receive GPS signals (101, Fig 1; 201, Fig. 2); a wireless communication receiver/transmitter configured to receive/transmit wireless communication signals (102; 202); and a processor coupled with the GPS and wireless communication receivers, the processor configured to process the GPS signals and the wireless communication signals (112; column 5, lines 11-20; column 6, lines 38-42).

In regard to claims 2 and 10, Krasner '944 further discloses the processor is further configured to determine a location of a device incorporating the receiver based on the GPS signals (abstract).

In regard to claims 3 and 11, Krasner '944 further discloses the processor configured to process network assist information related to the received GPS signals and to determine a position of a device incorporated the receiver based at least in part on the processed network assist information (column 10, lines 39-45).

Art Unit: 3662

In regard to claims 4 and 12, Krasner '944 further discloses a single antenna for both GPS and wireless communication signals (column 7, lines 38-40).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 8 and 14-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krasner '944 in view of Krasner '960.

In regard to claim 8, Krasner '944 discloses a common GPS / wireless communication signal antenna (column 7, lines 38-40) and processor (112; column 5, lines 11-20; column 6, lines 38-42), where the processor configured to process network assist information related to the received GPS signals and to determine a position of a device incorporated the receiver based at least in part on the processed network assist information (column 10, lines 39-45). Krasner fails to disclose a common demodulation circuit for both GPS and wireless communication signals.

Krasner '960 discloses a common GPS / wireless communication signal antenna, demodulator, and processor (column 8, lines 21-29). In other words, Krasner '960 teaches that once you have decided to integrate separate GPS / wireless communication antennas and separate GPS / wireless communication processors into one, you can also (it would be obvious to) combine separate GPS / wireless communication demodulators into one, thus continuing to lower the cost, complexity, and power requirements of the receiver by having fewer components.

Art Unit: 3662

In regard to claims 14 and 17, Krasner '960 teaches combined GPS / wireless communication device that can disable the GPS portion or the wireless communication portion when the other is in use in order to prevent interference (column 1, line 66 to column 2, line 19; column 6, line 51 to column 7, line 11). It would be obvious in the combined Krasner '944-Krasner '960 system, that if network assist information is determined to be not available, the wireless communication portion would be disabled, thus allowing the GPS portion to not encounter interference, and not using power to a wireless communication link that is not being used.

4. Claims 8 and 14-19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Krasner '960 in view of Krasner '944.

In regard to claim 8, Krasner '960 discloses a common GPS / wireless communication signal antenna, demodulator, and processor (column 8, lines 21-29). Krasner '960 fails to disclose the processor configured to process network assist information related to the received GPS signals and to determine a position of a device incorporated the receiver based at least in part on the processed network assist information.

Krasner '944 discloses a common GPS / wireless communication signal antenna (column 7, lines 38-40) and processor (112; column 5, lines 11-20; column 6, lines 38-42), where the processor configured to process network assist information related to the received GPS signals and to determine a position of a device incorporated the receiver based at least in part on the processed network assist information (column 10, lines 39-45).

Art Unit: 3662

Krasner '944 teaches that once you have combined GPS / wireless communication device, you can also (it would be obvious to) take advantage of the wireless communication feature to access network assist information to aid in GPS position finding.

In regard to claims 14-19, Krasner '960 teaches combined GPS / wireless communication device that can disable the GPS portion or the wireless communication portion when the other is in use in order to prevent interference (column 1, line 66 to column 2, line 19; column 6, line 51 to column 7, line 11). It would be obvious in the combined Krasner '960-Krasner '944 system, that if network assist information is determined to be not available, the wireless communication portion would be disabled, thus allowing the GPS portion to not encounter interference, and not using power to a wireless communication link that is not being used.

5. The examiner also finds the following references relevant:

Watters, who discloses a GPS / wireless communication signal common processor (column 19, lines 50-54) and antenna (column 16, lines 31-33).

Davis, who discloses a GPS / wireless communication signal common processor (abstract; 142, Fig. 1; Column 1, line 67 to column 2, line 9) and demodulator (142, Fig. 4; column 2, lines 14-16).

Bloebaum, who discloses a GPS / wireless communication signal common antenna (column 14, lines 65-67) with GPS network assistance (column 5, lines 21-27), and a processor block containing GPS and wireless communication processors (column 15, lines 12-22).

Applicant is encouraged to consider these documents in formulating their response (if one is required) to this action, in order to expedite prosecution of this application.

Art Unit: 3662


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fred H. Mull whose telephone number is 703-305-1250. The examiner can normally be reached on M-F 9:00 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas H. Tarcza can be reached on 703-360-4171. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9326 for regular communications and 703-872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

Fred H. Mull
Examiner
Art Unit 3662

FHM
December 27, 2002


THOMAS H. TARCZA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600